

**CHARTER TOWNSHIP OF COMMERCE
PLANNING COMMISSION MEETING**

Monday, January 7, 2019
2009 Township Drive
Commerce Township, Michigan 48390

A. CALL TO ORDER: Vice Chairperson Schinzing called the meeting to order at 7:01pm.

ROLL CALL: Present: Russ Schinzing, Vice Chairperson
Brian Winkler, Secretary
Tom Jones
Bill McKeever
Brian Parel
George Weber
Absent: Larry Haber, Chairperson (excused)
Also Present: Dave Campbell, Township Planning Director

B. APPROVAL OF AGENDA

MOTION by Jones, supported by Parel, to approve the Planning Commission Regular Meeting Agenda of January 7, 2019, as presented.

MOTION CARRIED UNANIMOUSLY

C. APPROVAL OF MINUTES

MOTION by Weber, supported by Jones, to approve the Planning Commission Regular Meeting Minutes of December 3, 2019, with the following edits suggested by Winkler:

1. Page 10, line 38-39, "Mr. Weber clarified *that* the Township is trying to understand when a shovel will hit the dirt.
2. Page 13, line 5, Dave Campbell, "...we'll know *more about* what the independent living will be.

MOTION CARRIED UNANIMOUSLY

D. UPDATE OF ACTIVITIES

Bill McKeever – Zoning Board of Appeals

- We have not met since the last meeting of the Planning Commission.

George Weber – Township Board of Trustees

- Brian Winkler was reappointed to the DDA.
- We discussed the 2021 Oakland County Sheriff's Office agreement.
- We discussed a couple of ordinances and amendment.
- It may be of note that the Township Board voted to prohibit any retail marijuana establishments within the Township.
- 2019 meeting schedules were all approved.
- Elected officials and non-union employee wages were approved.
- We agreed with the Firefighters Union on their contract and we are likely to have approved the union contract with AFSCME after our meeting tomorrow.

Brian Winkler – Downtown Development Authority

- At our December DDA Meeting, there were a couple items worth noting.

- Molly Phillips, DDA Treasurer, gave a bond presentation with regard to switching the current DDA bonds from adjustable rates to fixed rate bonds, in light of the recent increase in interest rates by the federal government. I believe this will be revisited in January, and it will then go before the Township Board.
- We adopted the 2019 DDA Budget.
- Mark Stacey amended the 2018 DDA Budget to reflect actual expenditures and income that transpired during the course of the year.

Vice Chairperson Schinzing – Dave, do you have an update from Jay and the Building Department? Are things slowing down more?

Dave Campbell – I did not ask Jay for his report, but I can say that the workload for the Building Department obviously slows during the holidays. A lot of trades people were taking some time off, so it has been quiet on their side.

E. PUBLIC DISCUSSION OF MATTERS NOT ON THE AGENDA

None.

F. TABLED ITEMS

None.

G. OLD BUSINESS

None.

H. SCHEDULED PUBLIC HEARINGS:

ITEM H1: PZ18-0002 – ROCK RIDGE – REZONING – PUBLIC HEARING

Rock Ridge Investments LLC of Commerce MI is requesting the rezoning of the easterly portion of a parcel of land consisting of 10.2 acres from MHP (Mobile Home Park) to R-1D (One Family Residential) located north off Pontiac Trail, on the east side of the Commerce Ridge Manufactured Housing Community. Sidwell No.: 17-33-400-044

Vice Chairperson Schinzing opened the public hearing.

No comments.

Vice Chairperson Schinzing closed the public hearing.

David Campbell, Planning Director, gave a review of the rezoning request. The proposed had been brought before the Planning Commission as a conceptual in November. He explained that if the rezoning request were recommended for approval by the Planning Commission, it would then go to the Township Board for final approval. If granted, the site would be split into two parcels, one being the developed portion which is the mobile home community that comprises about 5 acres, and the other undeveloped portion of about 10 acres which would become R1D. Dave gave a brief overview of the proposed condominium site plan, temporarily being called Rock Ridge and consisting of 17 single family homes with one new road, a cul-de-sac from Pontiac Trail. He stated that the proposed is consistent with R1D, and he explained other

potential land uses that are also included in the R1D zoning, as this is not a Conditional Rezoning request. Mr. Park is not necessarily obligated to build Rock Ridge as shown, but it appears to be his intent.

Dave also explained that because the parcel borders on another municipality, it was necessary to contact Oakland County and City of Novi to inform them of the rezoning application. Responses were received from both and because the request is for a less intensive land use, they were both in favor.

Lastly, it will be necessary to ensure that the two new properties being created are in compliance with the Zoning Ordinance in terms of dimensions. Therefore, the motion language suggests a condition for Administrative approval of a corresponding Land Division application with new legal descriptions for the rezoned parcel, and for Commerce Ridge mobile home park to ensure compliance with the applicable dimensional requirements of Article 17 of the Zoning Ordinance for 42 mobile home lots.

Vice Chairperson Schinzing – The issue that Oakland County brought up would be resolved in that process?

Dave Campbell – Yes, through Administrative review of the land division, if you choose to do it that way.

Vice Chairperson Schinzing – It's fine with me. It has to be resolved at some point.

Dave Campbell – I'm confident that we can handle it administratively. It will come down to which way he shifts the line to ensure that it meets the applicable requirements of the Zoning Ordinance. That line will likely fall somewhere in the community garden.

Mr. Park – Specifically regarding Article 17, the 6.27 acres that are required for the mobile home park for Commerce Ridge; we do plan to amend our engineering work which states Parcel A and Parcel B, the split information that you have tonight, would be amended to meet the geometric standards of 6.27 acres for Commerce Ridge. That will not impede the community.

Jones – Is it 41 or 42 units?

Mr. Park – There are 42 existing units in Commerce Ridge. Following up on what Dave stated, there's not a lot that's new from when we met last in November. The plan here is to develop 17 single-family detached units with a site condominium, with one road ending in a cul-de-sac in the rear of the property. It would have a double-stacked road, and would be connected to the sewer and water along Pontiac Trail. The frontage, the road, has already been approved by the RCO. In addition, the plan would be somewhere along the lines of a sustainable green community. That could possibly mean solar panel hookups on the houses, electric vehicle charging stations in garages, as well as trying to organize lessons in the community to teach people how to use the community garden in the rear. Moving forward with that, as well as having a price point that meets a first time home buyer, should be attractive to the community, along with traditional one and two-story homes that meet the home values and styles of Commerce Township as it exists today.

Commission Comments:

Winkler – As Dave has mentioned in his report, given the fact that this proposed development, under the proposed rezoning, is a less intensive land use than the mobile home park, I'm in agreement with the rezoning.

Jones – Dave, you did say that as far as determining the actual size of the property, before submitting the site plan, you're going to administratively work that out?

Dave Campbell – Yes. With any land division we would need a survey showing a legal description of the existing property, and new legal descriptions for the two proposed properties. In this case, we will have to make sure that the new Parcel A complies with Article 17 of our Zoning Ordinance for any property that has a mobile home community on it.

Jones – Just doing a little math, it looks to me like there isn't 10 acres available for the proposed. It's more like 9 or less, but I will leave it to you to take care of that before they make a site plan submittal.

The other thing I saw was that we need approval of the Oakland County Water Resources and the Road Commission. Is that part of the proposed motion?

Dave Campbell – It could be, but I would think that would be more appropriate when he returns with a condominium site plan. Right now, he's not proposing an actual location for a road.

Jones – Since there's going to be a lot of traffic in that area, are we thinking of both acceleration and deceleration lanes by the front entrance?

Dave Campbell – I don't know that we've thought about that yet. Keep in mind that this particular stretch of Pontiac Trail is two lanes in each direction. When we get to the condominium site plan, we'll take a better look at that and confer with the Road Commission.

Jones – I would certainly like to see a decel lane for getting into the property. Also, there was a note in there about approval by the Michigan Mobile Home Commission. Is that something that will come up later on with site plan?

Dave Campbell – No, since he is not proposing new mobile homes, we would not need any approvals from the state.

Jones – There's a comment in there about updating the master plan. Is that part of the motion, or is that part of what you will schedule at that time?

Dave Campbell – I think it would be up to you as a Planning Commission to determine whether or not this rezoning is consistent with the master plan as currently approved. I think there's a reasonable argument that it is, which would not necessitate amending the master plan, which you all know is quite an undertaking.

Jones – So the next time we do an update...

Dave Campbell – We're due for a 5-year update. That could be a good time to look at this specific property and whether or not we want to adjust it on the master plan.

Jones – Okay, those are my comments. Thank you.

Dave Campbell – If I may, Mr. Haber who is watching us on the camera and listening in, reminds all of you to please speak into your microphones.

Parel – I don't have much on this from my perspective. I think it's a logical transition between uses. You mentioned first-time home buyer prices. What was the starting price?

Mr. Park – In the proposal, it's \$275,000 to \$325,000. That's our target as of now.

Parel – Dave, you mentioned that we think Mr. Park has full intention of putting together a plan similar to what he has shown us before. What's the risk since we have to approve the site plan anyway at a later date? Is there a big risk to us if we approve rezoning tonight?

Dave Campbell – I suppose the risk, if there is one, would be that once this property is rezoned, that any of the land uses in the R1D zoning district would be allowed on this property. If you look at the land uses that are allowed in the R1D zoning district, they are uses that are compatible for single-family zoning; things like schools, churches, libraries. I don't have any reason to think that Mr. Park is looking to do anything other than what he has shown us, which is a single-family neighborhood.

Parel – Okay, thank you.

Weber – My comment was similar to Brian's. Perhaps the risk I see is when we rezone this, versus Conditional Rezoning, we like what we've seen from you, but we probably can't hold you to that. The only other question I had, Dave, and I think we talked about it in November. There's no requirement for us to displace the mobile home park acreage somewhere else in the Township?

Dave Campbell – It was a good question in November, and it's one that I looked into. I should have mentioned it in my report. I did discuss it with the Township Attorney. He and I reached the same conclusion, which is that the Township has several properties currently that are both zoned and used for mobile home living. We are not zoning out mobile home living. We have two other large mobile home communities at Wixom Road, and Commerce Ridge in addition to that. Therefore, there's no shortage of opportunities for mobile home living in Commerce Township.

McKeever – I don't have any questions.

MOTION by Parel, supported by Jones, that the Planning Commission **recommends approval, with a condition**, to the Commerce Township Board of Trustees of Item PZ18-0002, Rock Ridge, the request by Rock Ridge Investments LLC of Commerce MI for rezoning of the easterly portion of a parcel of land consisting of 10.2 acres from MHP (Mobile Home Park) to R-1D (One Family Residential) located north of Pontiac Trail, on the east side of the Commerce Ridge Manufactured Housing Community. Sidwell No.: 17-33-400-044

Move to recommend the Township Board approve PZ#18-0002, a petition by Rock Ridge Investments LLC to split and rezone a portion of the Commerce Ridge parcel – Parcel ID No. 17-33-400-044 - on the north side of Pontiac Trail, east of Beck Road, from MHP (Mobile Home Park) to R-1D (One-Family Neighborhood Residential). The Planning Commission’s recommendation is based on a finding that the petition meets the criteria for a Zoning Map amendment contained within Article 3 of the Zoning Ordinance, that the proposed zoning is consistent with the Township’s Master Plan, and that the property is appropriate for the types of development permitted within the R-1D zoning district. This motion is made with good faith in the petitioner’s stated intent to develop the site with a 17-unit single-family residential site condominium, and that the condominium site plan for that development will come before the Planning Commission in the near future.

The Planning Commission’s recommendation is conditional upon the following:

1. Administrative approval of a corresponding Land Division application with new legal descriptions that result in two conforming parcels, including the Commerce Ridge parcel (aka Parcel A) remaining in compliance with the applicable dimensional requirements of Article 17 of the Zoning Ordinance for 42 mobile home lots.

AYES: Parel, Jones, Winkler, Schinzing, Weber, McKeever

NAYS: None

ABSENT: Haber

MOTION CARRIED UNANIMOUSLY

Jones – In the write-up from Oakland County, why do they say that R1D is 10,000 square feet? It’s at the bottom of Page 2 in their report.

Dave Campbell – That is an error by the County. The Township’s R1C zoning district is a minimum lot size of 10,000 square feet. The reviewer made a mistake on that.

Jones – Okay.

I. NEW BUSINESS

None.

J: OTHER MATTERS TO COME BEFORE THE COMMISSION:

None.

K: PLANNING DIRECTOR’S REPORT

- **NEXT REGULAR MEETING DATE: FEBRUARY 4, 2019 @ 7PM**
- I would reiterate that Mr. Park hopes to go before the Township Board tomorrow evening for final approval.

- Also in front of the Township Board tomorrow evening is something that you have seen; the amendment to the Five & Main PUD. Mr. Aikens will be before the Board looking for approval of that amendment. The most significant amendment is the addition of a 4-story hotel that the Planning Commission recommended for approval at your November meeting.
- I don't have any firm predictions on what will be on your February agenda.
- We did have some preconstruction meetings for some projects that you've seen and approved:
 - The Michigan Schools and Government Employees Credit Union at Walnut Lake and Pontiac Trail.
 - The Comfort Care Assisted Living development at the corner of 14 Mile and Decker Roads.
 - Barrington Apartments, which is on the west side of Martin Parkway, north of Pontiac Trail, where they are putting in 300 luxury apartments. They had issues putting in their sanitary sewer. They're finally to the point where they're ready to put in sewer leads and foundations.
- We will be having a Zoning Board of Appeals meeting on Thursday, January 24th. We have one petitioner for that meeting, and as we usually do at the January meeting, we will also be having an educational meeting at 5:30pm, prior to the regular meeting.
- The M5 pedestrian bridge has the lighting system up and running. It will hopefully look even better once the final signage and wave panels are up there, because it's all meant to tie together. Delays were encountered with the enhancements.

Winkler – Dave, I wanted to ask one question regarding something that took place with the City of Walled Lake. In the November election, Walled Lake voters rejected any type of funding for the maintenance of the Airline trails. How does that affect the ability of the Trail Way Council to move forward with construction and improvements to the trails?

Dave Campbell – I'll do my best to explain this based upon what I've heard, but I don't guarantee any of this because I'm not involved in the day-to-day operations of the Trail Way Council.

The City of Walled Lake is committed to pay their fair share toward improvements to the Rail Trail. Those improvements primarily are paving the trail, but also putting in signalized crossing at some of the major intersections; Haggerty, Welch, Pontiac Trail. Each of the three communities, Commerce, Wixom, Walled Lake, are paying their fair share based upon the number of feet that go through their community. Walled Lake is committed to paying their fair share. What they asked the voters to do was approve a parks and recreation millage, part of which would fund their fair share toward the trail. The voters said no thank you, so now Walled Lake has to find other sources of funding to meet their commitment to make the improvements to the trail.

Winkler – Thank you.

Discussion continued regarding improvements to the trails, the history of the acquisition of the rail road, and building the pedestrian bridge.

L: ADJOURNMENT

MOTION by Winkler, supported by Jones, to adjourn the meeting at 7:33pm.

MOTION CARRIED UNANIMOUSLY

Brian Winkler, Secretary